

REMARKS

Reconsideration and entry of this amendment are respectfully requested. Claims 1, 8, 15 and 18 have been amended. Claims 1-18 remain pending.

Claims 1-18 stand rejected under 35 U.S.C 103(a) as being unpatentable over Wendt et al. in view of Barnes et al. Claims 1, 8, 15 and 18 have been amended to define the invention more clearly and thus, obviate the rejection. In particular, the claims as amended recite that second decoupling structure is constructed and arranged to mount the shroud to a shroud mounting structure fixed within an engine compartment of a vehicle. Thus, in the claimed invention the first decoupling structure mounts the motor to the shroud in a manner to isolate vibration between the motor and the shroud and the second decoupling structure mounts the shroud to the shroud mounting structure in a manner to isolate vibration between the shroud and the shroud mounting structure.

The claims define an engine cooling assembly for a vehicle having a second decoupling structure constructed and arranged to mount the shroud to a shroud mounting structure fixed within an engine compartment of a vehicle. The residential air conditioner of Wendt is not an engine cooling assembly for a vehicle. The housing 10 of Wendt is not fixed within an engine compartment of a vehicle. The Examiner cites Barnes et al. and contends it would have been obvious to construct the motor of Wendt with the shroud of Barnes et al. Even if Wendt were modified in view of Barnes et al. to provide a shroud, the combination would not teach or suggest all the claim limitations, as required in establishing a *prima facie* case of obviousness. In re Vaeck, 947 F.2d 488, 20USPQ2d 1438 (Fed. Cir. 1991). In particular, the combination does not teach or suggest an engine cooling assembly for a vehicle with a second decoupling structure constructed and arranged to mount the shroud to a shroud mounting structure fixed within an engine compartment of a vehicle.

Furthermore, the Examiner states that “In the instant case the combine (sic) teaching of Wendt and Barnes et al. is the use of a motor mounted by two resilient members on opposite sides of the support bracket reduces vibration and noise, whether the supporting member is an arm or a should ...”. However, as noted above, this

combination does not teach or suggest all claim limitations. The Examiner contends that it would have been obvious “to construct the motor of Wendt with the shroud of Barnes”. Even if this construction was made in the residential air conditioner of Wendt, in no way does it result in an engine cooling assembly for a vehicle as claimed.

For these reasons, the rejection of claims 1-18 should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



Frank J. Nuzzi
Registration No. 42,944
Attorney for Applicant

SIEMENS CORPORATION
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830
Tel. No. (732) 321-3002